

**Meeting Minutes
November 13, 2019**

EXECUTIVE COMMITTEE MEMBERS	DEPARTMENT OF HUMAN SERVICES
Mark Anderson – present	Kelly Garcia – present
Kimberly Kudej – absent	Mikki Stier - present
Sam Wallace – present	Rick Schults - present
Carol Forristall – present	Julie Lovelady - present
Rebecca Peterson – present	Carrie Malone - present
Skylar Mayberry-Mayes - present	Matt Highland - present
	Julie Dougherty - present

EX-OFFICIO LEGISLATIVE MEMBERS
Representative Joel Fry – absent
Representative Timi Brown-Powers - absent
Senator Amanda Ragan – absent
Senator Mariannette Miller-Meeks – absent

Guests

Patty Funaro – LSA
 Stacie Maass – Iowa Total Care
 Denise Rathman – NASW
 Harleigh Boldridge – ICCI

Kris Bell – SDC
 Natalie Ginty – House GOP
 Flora A. Schmidt - IBHA
 Lisa Whelan – Iowa CCI

Call to Order

Chair Mark Anderson called the Council meeting to order at 10:00 a.m. in the first floor conference room at the Hoover State Office Building in Des Moines, IA.

Roll Call

Five council members were present.
 All Ex-officio legislative members were absent.

Approval of Minutes

A motion was made by Wallace and seconded by Forristall to approve the minutes of the October 9, 2019 meeting.

MOTION UNANIMOUSLY CARRIED

Rules

The following amendments to the administrative rules are presented for adoption at the November 13, 2019, meeting of the Council on Human Services:

R-1. Amendments to Chapter 77, "Conditions of Participation for Providers of Medical and Remedial Care," Chapter 78, "Amount, Duration and Scope of Medical and Remedial Services," and Chapter 83, "Medicaid Waiver Services". The Department is clarifying the brain injury (BI) waiver provider qualifications to align with the services and supports that are rendered by qualified brain injury professional and accredited brain injury rehabilitation programs. These amendments also adopt the use of the most current version of the Mayo-Portland Adaptability Inventory Scale for both the brain injury waiver and the community-based neurobehavioral rehabilitation service as a valid and appropriate assessment tool for service planning.

A motion was made by Wallace to approve and seconded by Kudej.

MOTION UNANIMOUSLY CARRIED.

R-2. Amendments to Chapter 105, "Juvenile Detention and Shelter Care Homes," Chapter 112, "Licensing and Regulation of Child Foster Care Facilities," Chapter 114, "Licensing and Regulation of All Group Living Foster Care Facilities for Children," Chapter 115, "Licensing and Regulation of Comprehensive Residential Facilities for Children," and Chapter 116, "Licensing and Regulation of Residential Facilities for Children with an Intellectual Disability. These amendments remove obsolete elements within the administrative rules, bring better alignment to current practice and implement changes required by federal law.

A motion was made by Kudej to approve and seconded by Wallace.

MOTION UNANIMOUSLY CARRIED.

The following amendments to the administrative rules are presented as Notice of Intended Action for review by the Council.

N-1. Amendments to Chapter 75, "Conditions of Eligibility." This rule will continue to allow an annual change in the statewide monthly standard deduction for personal care services provided in a licensed Residential Care Facility (RCF) based on the Consumer Price Index (CPI) for urban consumers. This annual change continues to be a benefit to Medically Needy members who reside in a licensed RCF because it allows the personal care needs to be applied to the spenddown obligation.

N-2. Amendments to Chapter 81, "Nursing Facilities." The department has promulgated rules in order to provide clarification on the treatment of depreciation when a change of nursing facility ownership occurs. Rules are also promulgated to clarify leasing arrangements. The department has updated the Iowa Medicaid Enterprise (IME) mailing address and made changes to reflect current operations of the IME.

N-3. Amendments to Chapter 78, “Amount, Duration and Scope of Medical and Remedial Services,” Chapter 83, “Medicaid Waiver Services,” and rescinds and adopts new Chapter 90, “Case Management Services”. Clarifies the case management service activities that are received by various populations in the Medicaid program. Revises rules to include definition and references to Core Standardized Assessments (CSA) as required under the Balancing Incentive Program (BIPP). The BIPP was created as part of the federal Patient Protection and Affordable Care Act. Participation by Iowa is required by 2012 Iowa Acts, chapter 1133, section 14, and 2013 Iowa Senate File 446, section 142 (20). Adds a section to outline and require billable activities for fee for service members. Adds a requirement for provider reporting of minor incidents. Adds the person-centered service planning definition and service requirements. Updates case management cross references in other chapters that are affected by this rule package.

A motion was made by Wallace and seconded by Forristall to approve the noticed rules.

MOTION UNANIMOUSLY CARRIED.

Children’s Mental Health Board Update

MHDS Division Administrator Rick Shults provided an update on the work of the newly formed Children’s Mental Health Board. The board will be meeting quarterly in a different region of the state. He shared that the board is made up a diverse group of professionals from DHS, Public Health, MHDS commission, workforce development, child welfare, AEA, school administrators, law enforcement, and children’s health care providers. He stated that rules are in the process of being finalized so the regions can begin assisting citizens throughout the state at that level. The board is also working on creating a comprehensive centralized call line. Council members requested a MHDS Regions map. This will be included with their December meeting materials.

Family Planning Update

Julie Lovelady, Deputy Director of Medicaid, gave a brief update on the Family Planning report. The final report will be presented to the council at the December meeting.

Managed Care 4th Quarter Report

Julie Lovelady, Deputy Director of Medicaid, provided an overview on the fourth quarter Managed Care Report.

Follow up on LMSW laws

Julie Lovelady, Deputy Director of Medicaid, addressed the concern regarding the LMSW laws brought to the attention of the board by Representative Mark Smith at the October meeting. She informed the board this isn’t something DHS can change, it is Iowa Code and has to be changed by the legislature. See the attached follow up document from the MHDS commission.

Council Update

Mark Anderson shared his concern with the number of farmer suicides in the state and inquired about any specific services that were being offered to support farmers in crisis. Rick stated that currently there is nothing specific at the state level but that we should be referring families to their local extension offices for a list of resources. Rick also mentioned that Senator Grassley is working on this issue at the federal level.

Kim Kudej inquired about a news article about Independence Mental Health Facility being fined by OSHA for safety violations. Rick Shults informed the council that DHS is contesting all

the citations through a formal appeal. He also shared what happens when a “code green” is issued at the facility and added that additional staff have been hired at IMH. Director Garcia asked Rick to elaborate on what we are doing to improve safety across all our facilities. Rick explained management of assaultive behavior in all of our facilities.

Rebecca Peterson stated she is still hearing from providers about delays in payments and issues with prior authorizations with Medicaid. Providers stated not seeing progress in that area. Providers are excited about the Children’s Mental Health Board.

Carol Forristall brought up the issue of lack of good and affordable child care in the state, especially in rural Iowa. Senator Grassley is working on this issue at the federal level.

Director’s Report

Director Garcia introduced herself to the board and highlighted her experience at the Texas Health and Human Services Commission. She also shared her vision and goals for DHS here and how she is spending her first few months as our new director.

The next meeting of the Council on Human Services will be December 11, 2019 at the Hoover State Office Building.

Adjournment

Chair Mark Anderson adjourned the meeting at 11:53 a.m.

Respectfully Submitted by,
Julie Dougherty
Council Secretary
JD